

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: FLINT WATER LITIGATION

Case No. 5:16-cv-10444-JEL-MKM
Hon. Judith E. Levy

This Document Relates To:

Gaddy et al. v. Flint et al.

Meeks et al. v. Flint et al.

Case No. 5:17-cv-11166-JEL-MKM

Case No. 5:17-cv-11165-JEL-MKM

**DEFENDANTS VEOLIA NORTH AMERICA, LLC, VEOLIA NORTH
AMERICA, INC. AND VEOLIA WATER NORTH AMERICA
OPERATING SERVICES, LLC'S COUNTER DEPOSITION
DESIGNATIONS AND OBJECTIONS FOR DAVID GADIS**

Defendants Veolia North America, LLC, Veolia North America, Inc. and
Veolia Water North America Operating Services, LLC submit the following counter
deposition designations and objections for VNA witness David Gadis:

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OBJECTIONS

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75:10-12 relevance, unduly prejudicial, MIL (docket 492)

76:22-23 relevance, unduly prejudicial, MIL (docket 489)

77:5-8 relevance, unduly prejudicial, MIL (docket 489)

77:10-13 relevance, unduly prejudicial, MIL (docket 489)

80:23 – 81:20	form, lack of foundation, calls for speculation, MIL (dockets 489, 492)
81:23-82:11	relevance, unduly prejudicial, MIL (docket 489)
84:16-86:24	relevance, unduly prejudicial, MIL (docket 492)
93:3-94:21	relevance, unduly prejudicial, MIL (docket 492)
96:12-15	relevance, unduly prejudicial, MIL (docket 492)
97:7-19	relevance, unduly prejudicial, MIL (docket 492)
98:11-99:12	relevance, unduly prejudicial, MIL (docket 492)
100:8-101:12	relevance, unduly prejudicial, MIL (docket 492)
115:13-15	form, vague
119-121	foundation (witness has no knowledge); relevance; unduly prejudicial
124:3-5	form, calls for speculation
126:11-21	form, vague
126:17-18	form, vague
142:12-144:11	relevance, unduly prejudicial, MIL (docket 499)
144:23-145:7	relevance, unduly prejudicial, MIL (docket 499)
145:8-145:9	relevance, unduly prejudicial, MIL (docket 499)
146:17	relevance, unduly prejudicial, MIL (docket 499)
146:19-147:10	relevance, unduly prejudicial, MIL (docket 499)
146:22-147:4	form, calls for speculation
147:8-10	form, calls for speculation
147:14-15	relevance, unduly prejudicial, MIL (docket 499)
147:17-18	form, calls for speculation
147:22-24	form, calls for speculation
148:4-150:10	relevance, unduly prejudicial, MIL (docket 499)

150:14	relevance, unduly prejudicial, MIL (docket 499)
150:16-152:8	relevance, unduly prejudicial, MIL (docket 499)
154:15-17	relevance, unduly prejudicial, MIL (docket 499)
158:2-24	relevance, unduly prejudicial, MIL (docket 499)
159:3-4	relevance, unduly prejudicial, MIL (docket 499)
161:11-162:4	for, vague, relevance, unduly prejudicial, MIL (docket 499)
157:16-19	form, lack of foundation, calls for speculation
160:24-161:3	form, calls for speculation
163:22-164:4	form, incomplete hypothetical
165:5 – 165:8	form, vague, assumes facts not in evidence
167:9-11	form, lack of foundation
168:8-10	form, relevance, lack of foundation, calls for speculation
168:22-24	form, vague, incomplete hypothetical, calls for speculation
169:17-21	form, relevance, lack of foundation, calls for speculation
170:3-4	form, vague
170:10-11	form, vague
170:23-24	form, incomplete hypothetical
171:2-4	form, incomplete hypothetical
171:22-24	form, asked and answered
172:6-8	form, incomplete hypothetical
172:15- 16	asked and answered
172:22-173:2	form, incomplete hypothetical, calls for speculation, MIL (docket 499)
173:18-174:15	relevance, unduly prejudicial, MIL (docket 499)
178:5-6	form, asked and answered
180:22-24	form, vague, Mil (docket 499)

190:14-16	form, argumentative
191:14-16	form. vague
192:2-4	form, lack of foundation, calls for speculation
195:19-23	form, calls for conclusion of law
196:16-18	form. Vague, incomplete hypothetical, relevance, MIL (docket 499)
197:4-6	relevance, MIL (docket 499)
198:15-16	form, calls for speculation
200:11-14	form, vague
203:14-16	form, vague
213:8-24	form, vague, calls for speculation, relevance, MIL (docket 499)
213:12-15	form, calls for speculation
213:23-214:1	form, vague
214:5-6	form, vague, MIL (docket 499)
214:24-215:21	relevance, MIL (docket 499)
216:1-6	relevance, MIL (docket 499)
216:8-217:2	relevance, MIL (docket 499)
217:12-15	form, misstates testimony, MIL (docket 499)
217:23-218:2	asked and answered, MIL (docket 499)
218:6-10	form, vague, relevance, MIL (docket 499)
223:3-4	form, calls for speculation
224:19-20	form, incomplete hypothetical, calls for speculation
225:3-6	form, incomplete hypothetical, calls for speculation
226:3-5	form, vague
226:23-228:1)	relevance, unduly prejudicial, MIL (docket 499)
231:20-21	form, calls for speculation

234:20-21	form, vague
237:8-10	form, vague
237:15-17	form, vague
239:17-20	form, lack of foundation, calls for speculation
249:6-251:9	relevance, MIL (docket 499)
252:9-12	form, calls for speculation
256:22-24	form, calls for speculation
265:19-22	form, calls for speculation
268:1-3	relevance, unduly prejudicial, MIL (docket 492)
268:10-20	relevance, unduly prejudicial, MIL (docket 492)
270:21-22	form, calls for speculation
274:11-12	form, calls for speculation
276:2-4	form, calls for speculation
277:2-3	form, calls for speculation
278:5-6	relevance
279:22-24	form, vague, calls for speculation
280:23-281:1	form, calls for speculation
281:9-10	form, calls for speculation
281:18-282:2	relevance
286:5-15	relevance
286:23-287:3	form, calls for speculation
293:23-294:1	form, vague
324:18-20	form. vague
329:17-18	form, vague
335:24-336:3	form, vague

337:18-20	form, vague, MIL (docket 492)
338:1-3	form, vague, MIL (docket 492)
346:13-16	form, vague, MIL (docket 499)
346:24-347:6	relevance, unduly prejudicial, MIL (docket 499)
347:22-348:2	form, vague
348:9-348:13	form, vague
348:21-23	form, vague
352:15-16	form, foundation
354:8-11	form, foundation
355:10-12	form, foundation
356:11-14	form, foundation, calls for speculation
359:16-19	form, incomplete hypothetical, calls for speculation
361:19-23	form, foundation, mischaracterizes testimony
362:15-18	form, foundation, mischaracterizes testimony
363:1-5	form, incomplete hypothetical, mischaracterizes testimony, calls for speculation
363:11-14	form, incomplete hypothetical, mischaracterizes testimony, calls for speculation
364:10-14	form, incomplete hypothetical, mischaracterizes testimony, calls for speculation
364:23-365:3	form, foundation, calls for speculation
365:14-18	form, incomplete hypothetical, mischaracterizes testimony, calls for speculation
366:1-5	form, vague, incomplete hypothetical, misstates testimony
366:15-17	form, incomplete hypothetical
366:20-367:12	relevance, unduly prejudicial, MIL (docket 499)
368:2-4	form, incomplete hypothetical

368:7-21	form, vague, calls for speculation
369:11-13	form, incomplete hypothetical, calls for speculation
369:20-21	form, vague, incomplete hypothetical, calls for speculation
370:12-13	form, vague, lack of foundation, calls for speculation
370:18-20	form, vague
371:18-23	relevance
374:1-375:2	relevance
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383:16-19	relevance
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385:23-386:3	relevance
386:7-386:16	relevance
386:21-386:23	form, vague, relevance
400:24-401:15	relevance, unduly prejudicial, MIL (docket 499)
408:10-13	form, vague, MIL (docket 499)
411:23-24	form, misstates testimony, asked and answered, MIL (docket 499)
444:16-18	form, vague
445:6-18	relevance, MIL (docket 499)
445:20-446:16	relevance, unduly prejudicial, MIL (docket 499)
446:19-448:18	form, incomplete hypothetical, relevance, MIL (docket 499)
450:16-18	form, vague, MIL (docket 499)
450:23-451:1	form. vague
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471:1-4	form, vague, MIL (docket 499)
471:8-11	form, vague, MIL (docket 499)
477:1-4	relevance, MIL (docket 489)
480:6-8	relevance, unduly prejudicial, MIL (docket 492)
480:14-15	relevance, MIL (docket 492)
480:21-24	relevance, MIL (docket 492)
481:2-6	relevance, MIL (docket 492)
481:9-12	form, calls for speculation, relevance, MIL (docket 492)
481:14-17	relevance, unduly prejudicial, MIL (docket 492)
481:19-482:4	relevance, unduly prejudicial, MIL (docket 492)
482:8-9	form, relevance, MIL (docket 492)
483:12-14	relevance, unduly prejudicial, MIL (docket 492)
483:16-23	form, vague, relevance, MIL (docket 492)
484:1-10	relevance, unduly prejudicial, MIL (docket 492)
484:18-20	form, argumentative, MIL (docket 492)
484:24-485:1	form, calls for speculation, MIL (docket 492)
523:24-524:2	form, vague
530:3-21	form, vague, relevance, MIL (docket 492)
530:24-531:2	form, calls for speculation, MIL (docket 492)
531:10-12	form, calls for speculation, MIL (docket 492)
532:7-8	form, calls for speculation
532:2-3	form, calls for speculation
532:7-8	form, vague, calls for speculation
532:21-23	form, vague, calls for speculation,
533:2-3	form, vague

534:24-535:5	form, misstates testimony, MIL (docket 499)
535:9-10	form, misstates testimony, relevance
535:12-536:19	relevance, MIL (docket 499)
537:3-4	relevance, MIL (docket 499)
537:8-10	relevance, unduly prejudicial, MIL (docket 499)
538:17-18	relevance, unduly prejudicial, MIL (docket 499)
538:20-24	relevance, unduly prejudicial, MIL (docket 499)
539:3-18	relevance, unduly prejudicial, MIL (docket 499)
539:20-24	relevance, unduly prejudicial, MIL (docket 499)
540:2-6	relevance, unduly prejudicial, MIL (docket 499)
540:12-18	relevance, unduly prejudicial, MIL (docket 499)
540:23-541:6	relevance, unduly prejudicial, MIL (docket 499)
541:8-18	relevance, unduly prejudicial, MIL (docket 499)
542:5-542:22	relevance, unduly prejudicial, MIL (docket 499)
543:1-543:9	relevance, unduly prejudicial, MIL (docket 499)
543:11-16	relevance, unduly prejudicial, MIL (docket 499)
543:19-21	relevance, unduly prejudicial, MIL (docket 499)
545:9-12	relevance, unduly prejudicial, MIL (docket 499)
545:15	relevance, unduly prejudicial, MIL (docket 499)
545:18-546:1	relevance, unduly prejudicial, MIL (docket 499)
546:5-10	relevance, unduly prejudicial, MIL (docket 499)
546:13-20	relevance, unduly prejudicial, MIL (docket 499)
546:22-547:2	relevance, unduly prejudicial, MIL (docket 499)
548:22	relevance
549:6-7	relevance

549:9-11	relevance
549:13	relevance
549:16-18	form, vague
549:24-550:1	form, vague
553:23-554:2	relevance, MIL (docket 499)
554:4-554:8	relevance, unduly prejudicial, MIL (docket 499)
554:10-17	relevance, unduly prejudicial, MIL (docket 499)
554:19-23	relevance, unduly prejudicial, MIL (docket 499)
555:22-556:15	relevance, MIL (docket 499)
556:17-557:1	relevance, unduly prejudicial, MIL (docket 499)
559:15-16	form, argumentative, relevance, unduly prejudicial, MIL (docket 499)
560:23-561:2	relevance, unduly prejudicial, MIL (docket 499)
561:12-15	relevance, unduly prejudicial, MIL (docket 499)
561:24-562:6	relevance, unduly prejudicial, MIL (docket 499)
562:8-14	relevance, unduly prejudicial, MIL (docket 499)
562:16-17	relevance, unduly prejudicial, MIL (docket 499)
563:3-7	relevance, unduly prejudicial, MIL (docket 499)
563:10-15	relevance, unduly prejudicial, MIL (docket 499)
563:18-24	form, argumentative, compound, relevance, unduly prejudicial, MIL (docket 499)
563:22-24	form, calls for speculation
564:5-6	form. vague
564:14-16	form, foundation, relevance, MIL (docket 499)
564:14-565:1	relevance, MIL (docket 499)
564:23-565:4	relevance, unduly prejudicial, MIL (docket 499)

566:1-3	form, vague, relevance, unduly prejudicial, MIL (docket 499)
567:9-13	form, vague, relevance, unduly prejudicial, MIL (docket 499)
567:16-568:6	form, vague, relevance, unduly prejudicial, MIL (docket 499)
568:11-13	form, vague, relevance, unduly prejudicial, MIL (docket 499)
568:17-18	form, vague, argumentative, relevance, MIL (docket 498)
568:19	form, vague, argumentative, relevance, MIL (docket 498)
573:14-20	form, vague, argumentative
574:22-24	form, vague, argumentative, assumes facts not in evidence
576:14	form, vague, calls for speculation
566:1-3	form, relevance
567:9-13	form, relevance
568:11-13	form, relevance
568:17	form, argumentative, relevance
568:19-22	form, relevance
573:14-20	form, vague, argumentative
573:23-574:1	form, incomplete hypothetical, calls for speculation
574:22-24	form, vague, argumentative, assumes facts not in evidence
575:23- 57:2	form, incomplete hypothetical, calls for speculation
576:7-11	form, incomplete hypothetical, calls for speculation
576:14	form, vague, calls for speculation
585:5-8	form, mischaracterizes testimony, MIL (docket 489)
585:18-586:5	form, argumentative, relevance, MIL (docket 492)
586:2-5	form, vague, argumentative, relevance
586:9-11	form, vague, argumentative, relevance, MIL (docket 492)
586:15-18	form, vague, argumentative, relevance, MIL (docket 492)

587:2-3	form, vague, argumentative, relevance, MIL (docket 492)
587:14-588:6	form, vague, argumentative, relevance, MIL (docket 492)
587:5	form, vague, argumentative, relevance
587:8-12	form, vague, argumentative, relevance
588:1-5	form, incomplete hypothetical
588:21-590:1	form, vague, argumentative, relevance, MIL (docket 492)
594:19-597:1	form, vague, argumentative, relevance, MIL (docket 492)
597:4	form, vague, argumentative, relevance, MIL (docket 492)
597:22-24	form, vague, argumentative, relevance, MIL (docket 492)
599:21-24	form, vague, argumentative, relevance, MIL (docket 492)
600:5-9	form, vague, argumentative, relevance, MIL (docket 492)
601-6	form, vague, argumentative, relevance, MIL (docket 492)
601:8-602:4	form, vague, argumentative, relevance, MIL (docket 492)
602:6-602:16	form, vague, argumentative, relevance, MIL (docket 492)
603:2-5	form, vague, argumentative, relevance, MIL (docket 492)
603:9-20	form, vague, argumentative, relevance, MIL (docket 492)
603:17-20	form, vague, argumentative, relevance, MIL (docket 492)
603:23-24	form, vague, argumentative, relevance, MIL (docket 492)
605:16-17	form, argumentative
609:14-15	form, argumentative
609:2-3	form, argumentative
610:6-7	form, vague, argumentative, relevance, MIL (docket 492)
610:12-14	form, vague, argumentative, relevance, MIL (docket 492)
610:17	form, vague, argumentative, relevance, MIL (docket 492)
611:2-3	form, vague, argumentative, relevance, MIL (docket 492)

611:21-612:7	form, vague, argumentative, relevance, MIL (docket 492)
612:9-614:7	form, vague, argumentative, relevance, MIL (docket 492)
614:18-21	form, vague, argumentative, relevance, MIL (docket 492)
616:5-617:19	relevance, unduly prejudicial, MIL (docket 492)
617:23-618:10	relevance, unduly prejudicial, MIL (docket 492)
621:10-621:24	relevance, unduly prejudicial, MIL (docket 499)
622:5-7	form, argumentative, relevance, MIL (docket 492)
647:18-19	form, vague, relevance
648:3-4	form, vague, relevance
547:18-19	form, relevance
648:3-4	form, vague, relevance
713:12-715:8	relevance, unduly prejudicial, MIL (docket 499)

These deposition counter-designations and objections are based upon the understanding that Mr. Gadis is unavailable to testify in person at trial. If such circumstance of his availability is found to be incorrect, VNA reserves the right to call Mr. Gadis to testify in person at trial and/or to object to the use of this witness' deposition testimony at trial if the witness is available for live testimony. VNA reserves the right to amend and/or supplement these deposition counter-designations and objections at any time prior to trial and based on the Court's rulings, Plaintiffs' counter-designations of deposition testimony and evidence introduced at trial. VNA states that depending on the evidence presented at trial, it may wish to introduce additional deposition testimony as evidence or in rebuttal. Therefore, it may be

necessary to supplement these deposition counter-designations and objections to include testimony not originally designated therein. By submitting these deposition counter-designations and objections, VNA does not waive any objections to the use of such testimony and/or exhibits contained in the deposition counter-designations, including (but not limited to) those made in motions *in limine*. VNA's inclusion of any testimony and/or exhibits within these deposition counter-designations and objections should not be construed as an admission that such testimony and/or exhibit is admissible if offered by Plaintiffs. VNA reserves the right to object to Plaintiffs' attempts to introduce any testimony and/or exhibit included in these deposition designations.

VNA reserves the right to offer deposition testimony counter-designations and objections made by any other party. In addition, VNA reserves the right to offer deposition testimony of any witness that is needed to authenticate, identify or provide information about any exhibit offered at trial. Finally, to the extent that any fact witnesses or Rule 30(b)(6) corporate designees have not yet been deposed, VNA reserves the right to designate, counter-designate and object to those depositions upon completion.

Respectfully submitted,

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DATED: December 28, 2021

CERTIFICATE OF SERVICE

I, James M. Campbell, counsel for defendants Veolia North America, LLC, Veolia North America, Inc., and Veolia Water North America Operating Services, LLC, hereby certify that the foregoing document was electronically filed with the Court on December 28, 2021 using the Court's electronic filing system (ECF), which will send notice of such filing to all counsel of record. The foregoing document is also available for viewing and/or downloading from ECF.

/s/ James M. Campbell

James M. Campbell